

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 96-cr-40083-JPG
	)	
KEVIN CROCKETT,	)	
	)	
Defendant.	)	
	)	

**MEMORANDUM AND ORDER**

This matter comes before the Court on Defendant Kevin Crockett's *pro se* Request for Hearing (Doc. 64) on post-judgment execution. Specifically, Crockett opposes the Government's Application for Writ of Execution (Doc. 62), wherein the Government seeks to collect on certain unclaimed monetary property in order to partially satisfy the outstanding judgment entered in this case. Crockett requests a hearing on whether such property is exempt from collection.

Pursuant to 28 U.S.C. § 3014(b)(2), a debtor "may request a hearing on the applicability of any exemption claimed by the debtor [in response to writs of execution filed by the Government with respect to certain property]." The unclaimed property at issue is a \$21.76 payment from Wal-Mart Stores, Inc. that the Government located through the Illinois State Treasurer's Cashdash website. Crockett claims the following three exemptions apply to said property: 1) "[f]uel, provisions, furniture, and personal effects;" 2) "[u]ndelivered mail," and; "[j]udgments for support of minor children." (Doc. 64, p. 2-3).

Here, obviously the first two exemptions claimed do not apply to the property at issue. Therefore, the only way in which Crockett is entitled to the property is if he "is required by judgment of a court of competent jurisdiction, entered prior to the date of levy, to contribute to the support of [any] minor children." *Id.* at 3. At this point, Crockett has not supplied the Court with enough evidence to sustain invocation of such an exemption.

Accordingly, the Court **ORDERS** Crockett to submit a copy of the child support order entered against him no later than September 17, 2010. The order should contain its date of entry. Also, the Court **ORDERS** Crockett to submit a brief history of his payment of child support by said date . If he does so, the Court will decide whether said exemption should apply with or without a hearing. If he does not, the Court will deny Crockett's request for a hearing and allow the Government to seize the property. The Court **DIRECTS** the Clerk of Court to mail a copy of this memorandum and order to Crockett's most recent address.

**IT IS SO ORDERED.**

**Dated: September 1, 2010**

s/ J. Phil Gilbert

**J. PHIL GILBERT  
DISTRICT JUDGE**